

INTERNATIONAL SEARCH REPORT

PCT/GB2004/002688

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B17/32

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	GB 2 392 623 A (LAMBERT) 10 March 2004 (2004-03-10) the whole document	1-6
X	US 5 061 245 A (WALDVOGEL) 29 October 1991 (1991-10-29) column 4, line 24 - line 37; figures 2-5 column 5, line 12 - line 45	1-6
X	GB 1 546 172 A (HUBRICH) 16 May 1979 (1979-05-16) figures 1,2b	1-6
X	WO 00/40160 A (ORIGIN) 13 July 2000 (2000-07-13) page 18, line 21 - page 19, line 5; figure 14a	1
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

23 September 2004

Date of mailing of the international search report

04/10/2004

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 871 498 A (JERVIS) 16 February 1999 (1999-02-16) figures 1,10	1
X	FR 2 075 300 A (ASTRA-MEDITEC) 8 October 1971 (1971-10-08) page 2, line 16 - line 26; figure	1
A	DE 43 34 419 A (HACKLÄNDER) 13 April 1995 (1995-04-13)	

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 7, 8; 9-13
because they relate to subject matter not required to be searched by this Authority, namely:
Claims 9-13: Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2. ☒ Claims Nos.: 7, 8
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Claims Nos.: 7,8; 9-13

Claims 9-13: Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

Continuation of Box II.2

Claims Nos.: 7,8

According to Rule 6.3 PCT the subject matter for which protection is sought is defined in the claims in terms of the technical features of such subject matter. Claims 7,8 include no such technical features.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

INTERNATIONAL SEARCH REPORT

Information on patent family members

PCT/GB2004/002688

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 2392623	A	10-03-2004	NONE	
US 5061245	A	29-10-1991	NONE	
GB 1546172	A	16-05-1979	NONE	
WO 0040160	A	13-07-2000	AU 2399200 A WO 0040160 A2 US 2003032861 A1 US 6432044 B1	24-07-2000 13-07-2000 13-02-2003 13-08-2002
US 5871498	A	16-02-1999	CA 2265969 A1 EP 1006917 A1 JP 2000507482 T JP 3436375 B2 WO 9811841 A1 US 6129736 A	26-03-1998 14-06-2000 20-06-2000 11-08-2003 26-03-1998 10-10-2000
FR 2075300	A	08-10-1971	SE 339077 B AT 310930 B BE 761114 A1 CH 517483 A DE 2062204 A1 DK 124728 B FI 52659 B FR 2075300 A5 GB 1290282 A JP 53016235 B NL 7100503 A ,B, NO 125215 B US 3741214 A	27-09-1971 25-10-1973 27-05-1971 15-01-1972 12-08-1971 20-11-1972 01-08-1977 08-10-1971 27-09-1972 30-05-1978 30-07-1971 07-08-1972 26-06-1973
DE 4334419	A	13-04-1995	DE 4334419 A1	13-04-1995